

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN LEE FOSTER,

Plaintiff,

v.

THE STATE DEPARTMENT OF STATE
HOSPITALS,

Defendant.

No. 2:21-cv-01286-TLN-CKD

ORDER

Plaintiff, a county inmate proceeding *pro se*, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 16, 2021, the magistrate judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 6.) Plaintiff has not filed objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by

1 the magistrate judge's analysis.

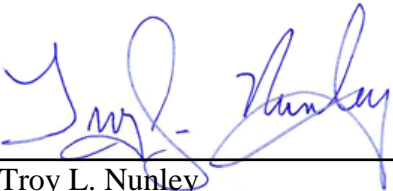
2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations filed November 16, 2021, (ECF No. 6), are adopted
4 in full;

5 2. Plaintiff's complaint is dismissed without leave to amend; and,

6 3. The Clerk of Court is directed to close this case.

7 DATED: January 24, 2022

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12 Troy L. Nunley
13 United States District Judge
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